

GOVERNMENT OF TELANGANA
ABSTRACT

Rules – The AP. Reorganisation Act, 2014 – The Andhra Pradesh Excise (Disposal of Confiscated and other Articles) Rules, 1969 – Adaptation to the State of Telangana – Notification Orders – Issued.

REVENUE (EXCISE-II) DEPARTMENT

G.O.MS.No. 143

Dated: 01-06-2016.
Read the following:

1. The Andhra Pradesh Reorganisation Act, 2014
(Central Act No.6 of 2014)
2. G.O.Ms.No.162, Revenue (Ex.II) Dept., dt.10.09.2015
3. From the CPE, TS, Hyd., Lr.No.805/2016/CPE/TS/H1,
dated 22.4.2016

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ORDER:

Whereas, by virtue of section 3 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the State of Telangana comprising the territories specified therein has been formed on and from the appointed day i.e., 02.06.2014.

2. And whereas, in section 101 of the Andhra Pradesh Reorganization Act, 2014, a provision has been made for the purpose of facilitating the application of any law (as defined in section 2 (f) of the Act), made before the appointed day, in relation to the State of Andhra Pradesh or to the State of Telangana, the appropriate Government may before expiration of two years from 02.06.2014, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

3. And whereas, it has become necessary to adopt and modify the Andhra Pradesh Excise (Disposal of Confiscated and other Articles) Rules, 1969, made under the Excise Act, 1968 (Andhra Pradesh Act No.17 of 1968) which are in force as on 01.06.2014, for the purpose of facilitating its application in relation to the State of Telangana.

4. Now therefore, after careful examination, Government have decided to adapt the Andhra Pradesh Excise (Disposal of Confiscated and other Articles) Rules, 1969, which are in force as on 01.06.2014.

5. Accordingly, the following Notification will be published in an Extraordinary Issue of the Telangana State Gazette, dated 01-06-2016.

NOTIFICATION

In exercise of the powers conferred by section 101 of the Andhra Pradesh Reorganization Act, 2014 (Central Act No.6 of 2014), the Government of Telangana hereby makes the following order namely:-

1. (1) This order may be called "The Andhra Pradesh Excise (Disposal of Confiscated and other Articles) Rules, 1969 (Telangana Adaptation) order, 2016"
- (2) It shall be deemed to have come into force with effect, from 02.06.2014.
2. In the said rules, for the words "Andhra Pradesh" or "A.P", occurring otherwise than in a citation or description or in title of other enactments, the word "Telangana" shall be substituted.

3. In the said rules,

- (1) for the words and expression "Andhra Pradesh Excise Act, 1968", wherever it occurs, the words and expression "The Andhra Pradesh Excise Act, 1968 (Telangana Adaptation) Order, 2015" shall be substituted.
- (2) throughout the rules, for the words "Assistant Commissioner of Excise (Enforcement)", the words "Assistant Commissioner of Prohibition & Excise (Enforcement)" shall be substituted;
- (3) throughout the rules, for the words "Excise Superintendent", the words "Prohibition & Excise Superintendent" shall be substituted;
- (4) throughout the rules, for the words "Assistant Excise Superintendent", the words "Assistant Prohibition & Excise Superintendent" shall be substituted;
- (5) throughout the rules, for the words "Inspector of Excise", the words "Inspector of Prohibition & Excise" shall be substituted;
- (6) throughout the rules, for the words "Sub Inspector of Excise", the words "Sub Inspector of Prohibition & Excise" shall be substituted;
- (7) For rule 4, the following rule shall be substituted, namely,-

"4. Officer authorized to order confiscation: Subject to the limits specified against each, the following officers shall be authorized to enquire into and determine cases of confiscation under sub-section (2) of section 46 of the Act:-

1.	Collector	Any article irrespective of its value
2.	Deputy Commissioner of Prohibition & Excise	Articles, the value of which exceed Rs.25000/-, but does not exceed Rs.50,000/-
3.	Prohibition & Excise Superintendent	Articles, the value of which exceed Rs.15000/-, but does not exceed Rs.25,000/-
4.	Assistant Prohibition & Excise Superintendent	Articles, the value of which exceed Rs.5000/-, but does not exceed Rs.15,000/-
5.	Prohibition & Excise Inspector	Articles, the value of which exceed Rs.500/-, but does not exceed Rs.5,000/-
6.	Prohibition & Excise Sub-Inspector	Articles, the value of which does not exceed Rs.500/-

- (8) Rule-5, sub-rule (2) shall be deleted;
- (9) For rule 5, for sub-rule (4), the following rule shall be substituted, namely,-

"(4) Confiscated Indian Made Foreign Liquor or Foreign Liquor in sealed bottles or other receptacles, the contents of which may reasonably be believed not to have been tampered with, shall be allotted to TSBCL/Agency for allotting to any A4 shops or 2B Bars".
- (10) In rule 5, in sub-rule (7), for the words "rectified spirit", the words "Rectified Spirit, ENA / Absolute Alcohol" shall be substituted;
- (11) In rule 5, in sub-rule (8) (c), for the words, "Director of Enforcement (Excise)", the words "Commissioner of Prohibition & Excise" shall be substituted;

(12) In rule 5, in sub-rule (9), the following rule shall be substituted, namely,-

“(9) Confiscated Mohwa Flower shall be destroyed or sold to other State Governments who quoted the higher price”

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationary & Stores Purchases, Telangana,
Hyderabad (with a request to publish and to furnish 500 copies each to the
Government and to the Commissioner of Prohibition and Excise, Telangana,
Hyderabad)

The Commissioner of Prohibition and Excise, Telangana, Hyderabad

Copy to:

The Law (F) Department
The PS to Addl.Prl.Secy to Hon'ble CM
The OSD to Hon'ble M(Proh & Excise)
The PS to Prl.Secy (CT&EX)
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER